

Appl. No. 10/700,109  
Amdt. dated Aug. 23, 2004  
Reply to Office action of Aug. 11, 2004

#### REMARKS AND ARGUMENTS

The Examiner's response to applicant's arguments filed 6/17/04 found that many features argued by the applicant to define the applicant's invention over the prior art of Ooten or Seay are not positively claimed in the immediate independent claim.

The applicant has amended Claim 1, the independent claim, to positively claim the features of the applicant's invention to allow the Examiner to reconsider the previous rejection.

The addition to the above claim 1, page 3 line 8 of the applicants previous amendment states how the bottom notch of the floatant material is adapted to allow the weight to be removable from the floatant material and the bobber to be removable from the fishing line allowing the weight and floatant material to be interchangeable with other weights and bodies.

The applicant respectfully submits that the immediate independent claim has been amended to positively claim that the weight is removable from the floatant material and from the fishing line allowing the bobber to be easily removed from the fishing line and the weight and floatant material to be interchangeable with other weights and floatant material or bodies to define the applicant's invention patentable over Ooten or Seay.

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The applicant has amended the immediate independent claim to positively claim the features argued by the applicant in the previous rejection to define the applicant's invention over the prior art of Ooten or Seay.

Claims 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Ooten US5775025.

The applicant has amended the immediate independent claim to positively claim that the weight is removable from the floatant material allowing the bobber to be removable from the fishing line and the weight and floatant material to be interchangeable with other weights and floatant material.

Ooten's US5775025 fishing bobber is not removable from the fishing line and the floatant material is not removable from the weight allowing the weight and floatant material or body to be interchangeable with other weights or bodies.

Ooten's US5775025 makes no mention of the importance or desire for a removable and interchangeable fishing bobber.

Ooten US5775025 makes no mention of the importance of or desire for a removable and interchangeable diving fishing bobber that is hollow.

The applicant has amended the claims to more distinctly define the invention to overcome the technical rejections and define the invention patentable over the prior art.

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Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooten in view of Seay US6550179.

The applicant has amended the immediate independent claim to positively claim that the weight is removable from the floatant material allowing the bobber to be removable from the fishing line and the weight and floatant material to be interchangeable with other weights and floatant material.

Seay's US6550179 is not a diving fishing bobber that has a weight that is removable from the floatant body allowing the bobber to be removable from the fishing line also allowing the weight to be interchangeable with other floatant bodies as is that of the applicant's invention. Though Seay discloses fins extending radially and vertically from front and rear sides, Seay makes no mention of the importance of a removable and interchangeable diving bobber having fins as does the applicant's invention.

Though Seay discloses a bead. Seay makes no mention of the need or importance of a removable and interchangeable diving fishing bobber having beads for making noise as does the applicant's invention. The novelty of the present invention was unobvious to the prior art.

The applicant has amended the claims to more distinctly define the invention patentable over prior art.

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Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooten in View of Christensen US5243780.

The applicant has amended the immediate independent claim to positively claim that the weight is removable from the floatant material allowing the bobber to be removable from the fishing line allowing the weight and floatant material to be interchangeable with other weights and floatant material.

Ooten US5775025 makes no mention of the importance of a luminescent device or light stick as does the applicant's invention. Ooten's US5775025 makes no mention of the importance or desire for a removable and interchangeable diving fishing bobber capable of receiving a luminescent light, as does that of the applicant's invention.

Christensen US5243780 is not a diving fishing bobber as is that of the applicant's invention and makes no mention of the importance of or desire for a removable and interchangeable diving fishing bobber capable of receiving a luminescent device or light.

The applicant has amended the claims to more distinctly define the invention patentable over prior art.

The applicant has amended the immediate independent claim, (claim 1), to positively claim the features argued by the applicant in the previous rejection. The applicant respectfully request the Examiner to reconsider the previous rejection.

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The applicant respectfully requests withdrawal of all objections for all the above reasons. The applicant submits that the claims are now in proper form, and that the claims all define patentably over the prior art. Therefore the applicant submits that this application is now in condition for allowance, which action the applicant respectfully solicits.

Very respectfully,

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Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Box A F, Commissioner of Patents, P.O. Box 1450, Alexandria, VA. 22313-1450."

Date August 23, 2004

  
Dorothy Marie Ooten, Applicant